

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE: PHENYLPROPANOLAMINE
(PPA) PRODUCT LIABILITY
LITIGATION

MDL NO. 1407

Case No. C02-0755

This document relates to:

Park v. Chattem, Inc., et al

**STIPULATION AND AGREED ORDER
DIRECTING PAYMENT OF CLAIMS
ADMINISTRATION FEES FROM THE
INITIAL SETTLEMENT TRUST**

On July 7, 2004, Chattem, Inc. and the Plaintiffs' Subcommittee¹ ("PSC") jointly requested that this Court issue an Order appointing BrownGreer PLC as the "Claims Administrator," as that term is used in the Class Action Settlement Agreement Between Chattem, Inc. And Class Counsel On Behalf Of Class Representatives dated April 13, 2004 ("Settlement Agreement"). Chattem and the PSC also have jointly requested that this Court issue an Order appointing Judge John E. Keefe (ret.) as the "Special Master," as that term is used in the Settlement Agreement.

¹ On January 17, 2002, this Court designated the Plaintiffs' Steering Committee ("PSC"). The PSC formed a Subcommittee ("Plaintiffs' Subcommittee") that was authorized to engage in global settlement negotiations with Chattem, Delaco, and Sidmak.

1 The Settlement Agreement provides that the Claims Administrator and the Special
2 Master shall be compensated a reasonable fee from the Benefit Fund. See Settlement Agreement
3 at §§ 4.2(e) and 4.7(e).

4
5 Chattem and the PSC hereby jointly request that this Court order the Settlement
6 Trust to pay from the Benefit Fund all invoices submitted by the Claims Administrator or the
7 Special Master that are approved by Chattem.

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9 DATED this 4th day of October, 2004.

10 SEEGER WEISS LLP

11 *Chris Seeger*
12 Christopher Seeger

13 Plaintiffs Subcommittee, Class Counsel

MILLER & MARTIN PLLC

11 *Jan T. Williams*
12 C. Crews Townsend

13 James T. Williams

Attorneys for Defendant Chattem, Inc.

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15 **ORDER**

16
17 Pursuant to the above stipulation of counsel and the Class Action Settlement Agreement,

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19 **IT IS HEREBY ORDERED** that the Settlement Trust shall pay from the Benefit
20 Fund all invoices submitted by the Claims Administrator or the Special Master that are approved
21 by Chattem.

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28 STIPULATION AND AGREED ORDER DIRECTING
PAYMENT OF CLAIMS ADMINISTRATION FEES FROM
THE SETTLEMENT TRUST - 2
(MDL NO. 1407)

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1 October 8, 2004.

Barbara Jacobs Rothstein

Honorable Barbara Jacobs Rothstein

4 PRESENTED BY:

5 SEEGER WEISS LLP

6 By: *Chris Seeger* *by Jan T. Kirkwood*

7 Christopher Seeger

8 Plaintiffs Subcommittee, Class Counsel

9 and

10 WILLIAMS KASTNER & GIBBS, PLLC

11 By: *Jan C. Kirkwood*

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28 STIPULATION AND AGREED ORDER DIRECTING
PAYMENT OF CLAIMS ADMINISTRATION FEES FROM
THE SETTLEMENT TRUST - 3
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